

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

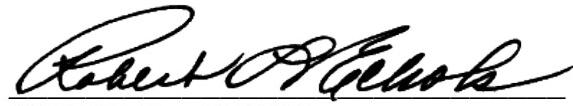
HEWLETT-PACKARD COMPANY, )  
                            )  
Plaintiff,                )  
                            )  
v.                         ) Civil No. 3-04-0779  
                            )  
CAPITAL CITY MICRO, INC., )  
MARTIN MEEKS, D.E.W.     )  
DISTRIBUTING CO., INC. d/b/a )  
P & E DISTRIBUTING CO. and )  
DAVID E. WELKER,          )  
                            )  
Defendants.               )

ORDER

For the reasons set forth in the Memorandum issued contemporaneously herewith, Defendants D.E.W. Distributing Co., Inc. d/b/a P & E Distributing Co. and David E. Welker's Motion for Summary Judgment (Docket Entry No. 75) is hereby GRANTED IN PART and DENIED IN PART. The Motion for Summary Judgment is granted only with respect to Plaintiff's claims for unjust enrichment against Defendants P & E Distributing Co. and David E. Welker as set forth in Count V of the Complaint. In all other respects the Motion for Summary Judgment is denied.

As previously ordered, trial in this case will commence on February 21, 2006. The Pretrial Conference scheduled for January 23, 2006, at 1:00 p.m. is hereby reconfirmed.

It is so ORDERED.

  
ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE